

SUES BANK TO RECOVER BANKRUPT'S SECURITIES

John C. Chamberlain, Trustee for Burr & Knapp, Institutes \$150,000 Action Against First-Bridgeport National Bank.

Wife of H. M. Knapp Is Defendant In Another Suit Alleging That Transfer of Knapp Home Was Made Without Consideration.

In an effort to recover property said to rightfully belong to the Burr & Knapp creditors, Trustee John C. Chamberlain this morning brought suit against the First-Bridgeport National Bank for \$150,000 and against E. Louise Faxon Knapp, the latter action being to gain possession of the Knapp homestead on Park place. Deputy Sheriff John M. Donnelly served papers on Vice-President F. W. Wren of the bank and on Mrs. Knapp. The suits were brought through Judge John S. Pullman, counsel for Trustee John C. Chamberlain.

In the complaint against the bank it is said that Burr & Knapp had deposits aggregating \$200,000. They had an account with the First-Bridgeport bank and cleared through the bank for checks. On August 8 last Burr & Knapp deposited with the bank drafts on the Georgia Loan & Trust Co. of Macon, Ga., amounting to \$130,000. Payment was refused by the trust Co. and the drafts were returned protested to the local bank. Thereupon Burr & Knapp became indebted to the bank.

Between August 13 and September 22 last, it is claimed that Burr & Knapp transferred certain securities and made cash payments as collateral for this indebtedness. The items of these transfers and payments were as follows: The total value of these securities was \$56,250. They included bonds of the Seaboard, Mrs. Water Co., valued at \$5,000; 30 shares of the Georgia Loan & Trust Co., \$3,000; and mortgage bonds of the Waterworks, N. Y. Hydraulic Co., \$30,000; first mortgage bonds of the same company, \$3,000; notes secured by the Mary H. Burr property on Fairfield avenue, \$14,000; notes given by Mrs. Burr and secured by 29 pieces of local property, \$16,500; cash from Burr & Knapp, \$11,500; two insurance policies on the life of H. M. Knapp at \$10,000 each. Also 17 mortgages given by local real estate men and builders which were turned over to the bank by Burr & Knapp.

All these transfers, the trustee says, were made within four months of the time that Burr & Knapp went into bankruptcy and, therefore, the creditors have a legal right to recover. The possession of these would enable the First-Bridgeport bank to obtain a greater percentage of its debts than other creditors.

In addition to \$150,000 damages the trustee wants the superior court to order the bank to account for all securities, to assign all securities undisposed of back to the trustee and to pay the trustee the amounts received for the securities sold.

In the action against Mrs. Knapp, the trustee says that the defendant firm owes \$906,297.36 and has not sufficient funds to pay its debts. On September 14 last a deed transferring the Park place homestead from H. M. Knapp to Mrs. Knapp was recorded. This was a gift without consideration. The property also has a frontage on Lafayette street. It is subject to a \$10,000 mortgage but it is reasonably worth \$5,000 more.

At the time of the transfer Burr & Knapp were insolvent and they went into bankruptcy about six weeks later. The trustee wants the superior court to set aside the conveyance and also award \$10,000 damages.

Both actions are returnable to the January term of court.

CLASSMATES WILL BE PALL BEARERS FOR JUDGE HALLEN

City Hall Will Close Through Forenoon—Public School Flags at Half Staff.

The funeral of Judge Edward F. Hallen will be held from the home of his brother, Thomas Hallen, 168 Sherwood avenue, at 9 o'clock tomorrow morning and from St. Augustine's R. C. church, where a solemn high mass will be held at 9:30. Rev. James E. Nihil, P. R., will be the celebrant of the mass. Rev. J. J. Kennedy, deacon, and Rev. E. J. Murphy, sub-deacon.

Three of his classmates from Nashua, N. H., will be pall bearers: Dr. A. W. Shea, Mayor-elect James T. Crowley and County Solicitor P. H. Sullivan; also Dr. James T. Power of New York, former Police Commissioner; F. D. Baker, with whom Judge Hallen served; Dr. Charles W. Deane, superintendent of schools, Edward H. Dillon and Attorney Thomas M. Cullinan. Interment will be in St. Michael's cemetery.

In honor of the late Judge, the City Hall will be closed all morning while the Probate office will remain closed all day. The funeral will be marked by the large attendance of city officials and other prominent people of Bridgeport and other cities.

Flags on the public schools and at City Hall were at half-mast today. The flags on schools and public buildings will remain at half-mast until after the funeral. Mayor Wilson today named Aldermen MacFadden, Blackie and Walker to represent the board of aldermen at the funeral. The mayor will attend and so will all the principal city officials. All city business will be suspended during the hours of the funeral.

BURNS LOSES HIS SUIT FOR LIBEL AGAINST PAPER

George Burns of the firm of Burns & Co., has lost his libel suit against the Bridgeport Evening Farmer, following a decision handed down today by Judge Burpee of the superior court. The court finds that the article which Burns claimed was libelous, was published without malice and in favor of the telegraph company to recover costs. Burns sued for \$5,000 damages.

In his memorandum Judge Burpee says in part: "In its answer the defendant claims that this article was published in regard to a matter of public interest, concerning public property and public business, and was made in good faith and without intent to impute to the plaintiff any wrong act. The plaintiff denies this. Upon this issue the evidence decidedly preponderates to the defendant's side."

"It may be that it might be construed as criticism of the plaintiff because he seemed to make this demand upon the bank for the use of the tank on account of plague or cholera occasioned by his failure to be continued on the board of fire commissioners. There was no evidence, however, that this was the case. It appears that the defendant acted recklessly or with any disregard of the reputation of the plaintiff. In any view of the publication itself or of the circumstances of its publication, it cannot, without wrenching and distorting its language, be said to mean what the plaintiff claims it means."

"Moreover, the occasion of making this publication rebuts any prima facie inference of malice arising from its publication; that is, the occasion was one of privilege, and it does not appear that in the use of the occasion the defendant was actuated by any malice."

"As in the case of Osborn against Troup, 60 Conn., 491, the plaintiff here has not alleged or tried to prove any special damages nor has he ever requested a retraction; but none of the grounds on which the judgment in that case was placed and sustained can be discovered in this case. Therefore, judgment may be entered for the defendant."

Burns objected to an article printed in the Telegram in which the use by the city of a gasoline tank owned by Burns was mentioned. Mention was made that about 1,000 gallons of gasoline were missing and Burns thought the tone of the article reflected upon him. Burns did not request a retraction, but the Telegram published it.

Former City Attorney Thomas M. Cullinan represented the Telegram.

Rich Mongolian Palace Is Destroyed By Fire

London, Dec. 23.—A despatch received from Peking, Mongolia, relates that the interior of the Palace of the Kutuktu, or the Deified Lama of the Mongols, with all its priceless treasures, has been destroyed by fire. The loss entailed is said to be enormous.

The wealth of the Kutuktu, derived from the contributions of enthusiastic devotees, is described as very great. In and about Urga he owns 150,000 slaves, an abundance of worldly goods and the most pretentious palace in Mongolia.

WIRELESS PLANT OF BRITISH SHIP SEIZED BY U. S.

Merchant Vessel Used Radio For Code Messages While In Canal Zone.

ACTION VIOLATES NEUTRALITY LAWS

Navy Department May Send Another Warship to Panama Canal.

Washington, Dec. 23.—Lieut. Crenshaw, naval radio officer at the Panama Canal, cabled the navy department today that the wireless apparatus on the steamer Proteus in Bilboa harbor, was dismantled by canal zone officials after it was found she had been sending code messages.

The cruiser Tacoma is at Cristobal to enforce neutrality and the navy department still has under consideration the possibility of dispatching another vessel to the canal zone.

A British statement recently to the navy department said Gov. Goethals had said, in a written communication, that he had been misinformed when he charged that a British collier was using its radio outfit contrary to neutrality.

Officials here now assume that the governor had referred to another British ship which also figured in the official dispatches as having violated the canal rules by leaving Bilboa without clearance papers and that that vessel had been confined with the Proteus. The unnamed collier had no wireless apparatus.

The Proteus is a British merchant steamer of 4,135 tons which, under charter of the British government, sailed from Victoria, B. C., in November for Bilboa, Panama Canal zone. It was assumed she carried coal and supplies for British naval vessels.

COL. GOETHALS ACTED AT REQUEST OF NAVAL HEADS IN CANAL ZONE

New York, Dec. 23.—The request made by Colonel George W. Goethals, governor of the canal zone, for the dispatch of American warships to the canal to preserve the neutrality of the United States was made at the suggestion of naval officers in charge of wireless plants and naval affairs in the zone. It was forwarded to Washington as a matter of form by Col. Goethals acting in his capacity as governor of the canal zone.

Col. Goethals said that naval officers had reported to him that there had been two violations of American neutrality but declined to give the names of the vessels involved.

"One of the incidents was that of a ship which sailed without clearance papers; the other was a ship that was reported to have been using her wireless within the canal zone," Col. Goethals said.

"The naval officers in charge brought the matter to my attention and asked me, as governor, to request the government to send warships to the canal zone. I transmitted their request as a matter of form and there my responsibility ends."

"In recommending that the ships be sent I was governed by the recommendations made to me by the naval officers."

Col. Goethals expects to go to Washington after the Christmas holidays to urge Congress to appropriate \$10,000 for the construction of drydocks, barracks, machine shops and wharves in the canal zone. He also said he expected to go to West Point first to see his son, who is a cadet at the military academy there.

"I also want to ask for an additional dredge when I go to Washington," he said. "I fear that we will have to keep a dredge working on the canal steadily for a year or more. The hills at Culebra seem to be settling and this is the cause of the frequent slides. We have been able, however, to get ships through the canal in much better time than we could; for instance, we calculated on a half-hour to each of the three locks but we find that a ship can be passed through all three locks in 55 minutes."

Col. Goethals said that there are at the present time still 25,000 men on the government's payroll in the canal zone.

PRESIDENT NAMES HENRY C. HALL TO COMMERCE BOARD

Washington, Dec. 23.—President Wilson today nominated Henry C. Hall, of Colorado Springs, Colo., to be interstate commerce commissioner.

BURGLARS TEAR OUT PLUMBING; FLOOD APARTMENT

The three-story apartment house at Crescent avenue and Crescent place, owned by Dr. M. S. Rosen, was visited by two men yesterday afternoon in broad daylight, who ascended to a vacant apartment on the third floor and ripped out about 30 feet of lead pipe, causing a flood in the apartment. The visit was covered when hurry calls were sent in for the janitor, who summoned a plumber in haste. Before the water could be turned off damage to the building, estimated by Dr. Rosen at over \$200, resulted. Considerable loss was experienced by families underneath in water damage.

WHY STATE IS STEADILY GOING DEEPER IN DEBT

Tax Commissioner Corbin Blames "Liberality" Towards Certain Interests.

NOT EXTRAVAGANCE, BUT TAX INJUSTICE

Permanent Income From Taxation Not Now Sufficient to Meet Current Expense.

The state of Connecticut is steadily running behind. Its expenses are greater than its income.

A large additional expense has been incurred for permanent investments in highways, and public buildings, but these expenses have been met by bond issues and the proceeds of other loans. So that current income from taxation is not enough to meet current expenses.

Part of the deficiency is due to lack of economy, but much of it is due to tax injustice. There would be no deficiency, but a considerable surplus, if Connecticut were not so "liberal" for taxation.

"Liberal" is the word used by Tax Commissioner William H. Corbin, in his report from 1913 and 1914, which is just from the press.

Tax Commissioner Corbin makes very clear recommendations for the curbing of tax injustices, and the healing of the breach between income and outgo.

He finds that manufacturing corporations are not paying their fair share of taxes, and he recommends a franchise tax to yield additional revenue.

He finds that recent legislation has impaired the receipts from the inheritance tax, and he recommends legislation to place such taxes at least on their former basis of productivity.

He finds a wide disparity between what water, gas, electric light and power companies report their property worth in their statements to the public utility commissioners, and what they report to the taxing authority. He recommends a franchise tax upon such corporations.

Mr. Corbin suggests a number of changes to the taxation of the New Haven road, and other railroads.

To the last session the commissioner recommended a change in the law taxing railroads upon their receipts, instead of by the present complicated system, which apparently has been created to relieve the railroads of their share of the public expense.

Mr. Corbin suggests a number of changes to the taxation of the New Haven road, and other railroads.

In discussing the state tax Mr. Corbin admits its usefulness in keeping citizens reminded of the necessity of paying careful attention to the business affairs of the state. He regards a small rate as sufficient for this purpose, and opposes the tax in principle, because it unduly rests upon the small property owner.

It is suggested that Savings deposits in National banks ought to be taxed at the same rate as deposits in savings banks.

"The means here referred to are by no means all of the interesting matters discussed in the report, which presents a detailed program for many improvements in the valuation of property, its assessment for taxation, and the collection of the tax after it is assessed."

BOB BEACH, RECENT BRIDEGROOM, GOES TO MOTHER'S HOME

Automobile Racer III, Gives Up Business Cares—Bride Rejoins Parents

Robert P. Beach, the well known automobile enthusiast, racer and salesman, who recently married Miss Natalie Forbes, daughter of A. Holland Forbes of balloon fame, has been compelled to give up business and seek his health at the home of his father at California, Mo. It is understood that Mrs. Beach has rejoined her mother and father who recently moved from the Burr homestead in Fairfield to hotel apartments in New York city.

Mr. Beach, who was preceded by his wife, left this city last night, having withdrawn from his business partnership with William H. Starbuck, and bid good-bye to his friends at 68 Washington avenue with whom he lived.

CHAUFFEUR JAILED FOR RECKLESSNESS; RAN DOWN LABORER

Howard Avery, Norwalk chauffeur, 213 East Main street, was fined \$50 and cost and sentenced to five days in jail by Judge Coughlin at today's city court session for reckless operation of an automobile at Waterview and Stratford avenues, Dec. 19, when he struck and seriously injured Joseph Much, 26 Reilly street. Much was cleaning out a catch basin for the Connecticut Co., when struck.

Avery contended that it was raining hard, dark and that Much was dressed in dark clothing and not easily seen. Judge Coughlin, who is intimately acquainted with that locality, questioned Avery closely before making his decision. Bonds for an appeal were fixed at \$200.

THOUSANDS ARE KILLED IN BATTLE FOR WARSAW

SUMMARY OF TODAY'S WAR NEWS

Although further progress, apparently, has been made by the allies in their general offensive movement, the German armies as a whole are standing fast, and so far as is known, have lost no important sections of the long line on which they settled down after the retreat which followed the battle of the Marne early in the war.

Today's official communications indicate that each side has had its victories and defeats. The French army chiefs state that they captured the last section of a line of German trenches near Perthes-Les-Huillies, where fighting has been severe for several days and have made an average gain of 300 yards. The German statement, speaking of this engagement, says that the French attack was "partly repelled."

French claims to progress in Belgium are denied in Berlin where it is said the British have suffered defeats at the hands of the Germans.

The German war office reports no developments in the east, saying merely the fighting is continuing. The French statement, however, asserts that the Russians are pressing forward their invasion of Galicia from the east. Prussian frontier but admits that the Germans have made progress in the fighting in Poland, to the west of Warsaw.

In the whole course of the war thus far, covering nearly five months, few occasions have been marked by such a confusion of claims and conflict of movements as the present. In the west, where the allies recently were everywhere on the offensive, they are now confronted at points with severe German attacks, compelling them to defend their own positions. In the east, as well, the situation is changing swiftly. The Germans, who for a time were able to push forward with heavy losses, are now meeting with determined resistance from their antagonists in their new positions.

The latest official communication from Petrograd says that the Russians have been compelled to retreat from some positions and at the same time states that the German attacks have been repulsed everywhere with heavy losses to the invaders. Germany and Austria continue to assert that important successes are being achieved. One of the great battles of the war is progressing thirty miles west of Warsaw, and meanwhile the Russian forces to the north are pushing into Germany, presenting the possibility of a flank attack on the German position.

It is announced in Lisbon that German forces have invaded the province of Angola, Portuguese West Africa. A German invasion was said to have been defeated in October, although this report was denied in Berlin.

On the occasion of the Portuguese government admits that the troops at the military post of Nautila have been compelled to retreat.

OFFICIAL REPORTS ON THE WAR

FRENCH

Paris, Dec. 23.—The French war office this morning gave out an official statement as follows: "Yesterday in Belgium we made slight progress between the sea and the highway from Nieuport to Westende as well as in the region between Steenstraete and Bixchoote where we occupied a forest, some houses and a redoubt."

"To the east of Bethune, working in conjunction with the British army we recaptured the village of Givenchy-Les-La Bassée, which had been lost to us."

In the region of Arras a heavy fight made it necessary for both the enemy and ourselves to lessen our activities. "To the east of Amiens on the Aisne and in Champagne, there have been artillery engagements. "In the region of Perthes-Les-Huillies, we carried after a spirited cannonade and two assaults, the last section of the line which we occupied in part yesterday. We made an average gain of 300 yards. In the last trench which came into our possession we captured a section of machine guns, including the gun crews. A violent counter-attack was repulsed. "We also made progress to the north-east of Peau where further attacks on the part of the enemy were without success."

There has been a perceptible advance on the part of our troops in the forest of La Gurle against a front of trenches 400 yards wide and running not less than 200 yards deep. We blew up with mines two of these German lines of works and occupied the excavations."

ASK \$413,000 FOR HIGHWAYS

Committee On Streets and Sidewalks Liberal With Paving Program.

The requisition of the streets and sidewalks committee calls for \$413,000. In 1913 the committee received a total of \$574,189. Among the items for this year are \$48,700 for laying Warrenite on various streets and a total of \$184,700 for permanent pavement. Last year the committee wanted \$194,364 for bituminous macadam and \$199,694 for permanent pavement. There is a bond issue of \$200,000 for pavement other than Warrenite bound macadam. It will be recalled that Mayor Wilson and Director of Public Works Courtade tried to take \$160,000 of this bond issue to lay Warrenite on certain streets. Citizens who opposed the plan had the contracts halted by court action.

The items of the requisition follow: Streets and Sidewalks, \$5,000; Sidewalk grading general, \$5,000; State highway construction, \$2,500; sidewalks, curb and gutter, new, \$6,500; crosswalks, new, \$4,500; grading general, \$1,000; watering troughs, new, \$1,000; tree removal, setting back curb, etc., \$4,000; land damages, general, \$10,000; total, \$37,500.

Grading. Anson street, French street to Hawley avenue, \$650; Capitol avenue, Main street to Brooklawn avenue, and Main street to Madison avenue, \$3,200; Capitol avenue from Madison to Park avenue, \$3,600; Capitol avenue, West to Brooklawn avenue, \$200; Denver avenue, Fairfield avenue north, \$300; Dewey street, State to Mountain Grove street, \$1,000; Fox street, Fairfield avenue north, \$1,100; Gilman street, Fairfield avenue to Courtland street, \$2,500; Hawley avenue, Anson street to Gordon avenue, \$200; James street, North avenue to Grand street, \$4,400; Laurel avenue, Brooklawn place to last domicile north, \$1,200.

Comfort Stations. Three: one at Congress street bridge east end on city property, one in city center site to come, one at west end Yellow Mill bridge, Stratford avenue, \$50,000.

THE WEATHER.

Fair tonight and Thursday; not much change in temperature. Fresh west winds.

Desperate Fighting, In 'Spite of Severe Winter, Marks Final Stand of Russians to Save Poland Capital—Both Sides Lose Many Officers and Men.

Christmas Sentiment May Mean a Lull in Fighting Over Holidays Though No Formal Armistice Has Been Declared—Artillery Duels Mark French Battle

London, Dec. 23.—The eighty mile front in Russian Poland to the west of Warsaw, where the Germans and Russians are at grips on the banks of the Bzura, Rawa and Pilica rivers, continues to be the scene of the most desperate fighting in either the eastern and western arenas of the war.

When the weather conditions under which the troops there are fighting are recalled the sufferings of the men in the trenches may to some extent be appreciated. The country is experiencing the full force of winter.

Big Losses On Each Side. Each side has sustained tremendous losses in this battle of the river, and although the Germans claim to have forced the Russian line at a number of points, it is nevertheless a fact, according to reports reaching London, that the Russian front has been straightened out and it is difficult to visualize which contender has the strategic advantage.

Again, there come trickling through from Holland reports of vast movements of German forces from the east and west. A despatch reaching here from Amsterdam says that thousands of German troops have passed through Aix-la-Chapelle toward northern France.

It is believed that notwithstanding the future plan for an armistice over Christmas, some sort of a lull will set in on Christmas day itself. Christmas sentiment is deep in the men's hearts and their positions on the line of battle, facing each other in bitter antagonism will not eradicate it.

The London newspapers have decided unanimously not to publish on Christmas Day and the official press bureau will suspend its activities for the afternoon of Dec. 24 until the evening of Dec. 25.

Thousands of tons of Christmas presents have been sent to all the men.

PARIS VOTES BIG BUDGET FOR WAR

Paris, Dec. 23.—The chamber of deputies voted unanimously today an appropriation of 8,600,000,000 francs (\$1,700,000,000) to cover the expenditure for the next six months, including the cost of the war.

IMPERIAL BANK CUTS WAR DISCOUNT RATE

Berlin, Dec. 23.—The rate of discount of the imperial bank of Germany was reduced today to 5 percent. This puts the rate of discount back to what it was July 31, previous to the outbreak of hostilities in Europe.

KAISER IN COLOGNE ON WAY TO FRONT

London, Dec. 23.—In a despatch from Cologne the correspondent of the Central News says that Emperor William with his entire staff reached Cologne today from Berlin on his way to the western battle front.

FRENCH CRUISER HIT BY MERCHANT VESSEL

New York, Dec. 23.—The French cruiser Decourville, a damaged vessel, though not seriously, on November 23 in a collision with the steamer Strathmore in the harbor of St. Lucia. The Strathmore reported the accident on her arrival here today.

The steamer touched at St. Lucia on her voyage from Buenos Ayres and while steaming out of the harbor her steering gear became jammed, causing her to foul the French cruiser which was at anchor. The Strathmore was obliged to put back for repairs.

OLDEST WOMAN IN U. S. DEAD AT 117

New York, Dec. 23.—Mrs. Hannah Koskoff, said to have been the oldest woman in the United States, died here today. According to records in the possession of descendants, she was 117 years old, having been born in Kief, Russia, in 1797. Up to a few months ago she was in perfect health.

Ex-United States Senator William B. West died at his home in Valdosta, Ga.

SENATOR PHELAN TO INVESTIGATE SULLIVAN'S CASE

Washington, Dec. 23.—James D. Phelan, Senator-elect from California, received his appointment today as a special commissioner to investigate charges against American Minister Sullivan in the Dominican Republic. President Wilson and Secretary Bryan have given Mr. Phelan full authority to conduct the investigation without further orders. He will work first in the insular bureau of the War department and later make an investigation in Santo Domingo.

COLUMBUS BREWERY IN RECEIVER'S HANDS

Columbus, O., Dec. 23.—The Hoster-Columbus Brewery Co., a \$12,000,000 corporation, went into the hands of receivers today on order of the United States district court. "Decreased demand for beer, adverse legislation and the voting 'dry' of many states and counties in the last eight years," was given as the cause.